

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 909

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
AMENDING THE DEFINITION OF "RESIDENT STUDENT" TO INCLUDE
CERTAIN UNDOCUMENTED ALIENS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 21-1-3 NMSA 1978 (being Laws 1970,
Chapter 47, Section 1, as amended) is amended to read:

"21-1-3. STATE EDUCATIONAL INSTITUTIONS--RESIDENT
STUDENTS. --

A. For the purpose of tuition payment at the
resident student rates at state educational institutions, as
defined in Article 12, Section 11 of the constitution of New
Mexico, "resident student" includes:

(1) any person not otherwise entitled to claim
residence who is a member of the armed forces of the United

1 States or armed forces of a foreign country assigned to active
2 duty within the exterior boundaries of this state; and

3 (2) the spouse or dependent child of any
4 person who qualifies under Paragraph (1) of this subsection.

5 B. Assignment to active duty within the exterior
6 boundaries of this state may be established by a certificate of
7 assignment from the commanding officer of the person so
8 assigned.

9 C. For the purpose of tuition payment at resident
10 student rates at New Mexico highlands university, "resident
11 student" may include any person who is a Native American and a
12 citizen of the United States.

13 D. For the purposes of tuition payment and budget
14 and revenue calculations, the board of regents of any post-
15 secondary state educational institution, as defined in Article
16 12, Section 11 of the constitution of New Mexico, may determine
17 that "resident student" includes any Texas resident who resides
18 within a one hundred thirty-five mile radius of that
19 institution.

20 E. For the ~~[purpose]~~ purposes of tuition payment
21 and budget and revenue calculations, "resident student"
22 includes any student receiving ~~[an athletic]~~ a scholarship from
23 a post-secondary educational institution set forth in Article
24 12, Section 11 of the constitution of New Mexico.

25 F. For the purposes of tuition payment and budget

1 and revenue calculations at state educational institutions, as
2 defined in Article 12, Section 11 of the constitution of New
3 Mexico, "resident student" includes a student who:

4 (1) has graduated from a New Mexico high
5 school; and

6 (2) has been a resident of New Mexico for at
7 least one year."

8 Section 2. EFFECTIVE DATE. --The effective date of the
9 provisions of this act is July 1, 2003.